THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.27440 of 2005

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Dated:05.01.2006

Between:

A.V.R. Prasad, S/o. Alluri Rama Rao, aged 67 years, R/o. H.No.A/1, Nandi Nagar,Road No.14,Banjara Hills, Hyderabad,
Shankar Reddy, S/o. Umapathi Reddy, and about 47 yers, Occ: Business R/o. Flot No. 408, Marvel Mansion Mehidipatnam
Hyd.28,(2) G.ShyamSunderReddy,S/o.G.RamReddy,33years, R/o.Jala Vayuvihar Colony, Kukatpally, Hyderabad.

..... PETITIONER

AND

The District Collector, Ranga Reddy District, and others.

.....RESPONDENTS

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ORDER:

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The petitioner is a resident of Banjara Hills, Hyderabad. He is allegedly the owner of land admeasuring Ac.5.14 guntas at Kothaguda Village, Hyderabad, in Survey No.37, which he allegedly purchased under a registered sale deed dated 20.04.1965. The petitioner subsequently sold a portion of the land and later obtained an Occupancy Right Certificate from the Inams Tribunal under the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955. It appears, there was a move to acquire the land of the petitioner by laying the road, and a notification under Section 4(1) of the Land Acquisition Act, 1894, was issued. But, the petitioner's land was not included in it. It is now alleged that without including the petitioner's land in the Land Acquisition proceedings, the respondents demolished the compound wall of the petitioner, and are trying to dispossess him. Therefore, he filed the present writ petition seeking a writ of mandamus declaring the action of the respondents in proceeding with laying of the road and dispossessing the petitioner as arbitrary and

illegal.

The matter was initially listed on 23.12.2005, and the same was adjourned to enable the learned Assistant Government Pleader for Roads and Buildings to get instructions in the matter. Today after getting instructions, the learned Assistant Government Pleader submits that the third respondent has taken up road laying work on the left side of the existing road near Gachibowli Village at Anjaiah Nagar, Kothaguda, and not on the right side, where the petitioner's land is situated. Learned Assistant Government Pleader also denies the allegation that the third respondent demolished the compound wall of the petitioner. He also submits that as and when the petitioner's land is required for laying the road, the Government would follow necessary procedure under the law.

The same is recorded, and the writ petition is disposed of accordingly. No costs.

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(V.V.S.RAO, J)

05.01.2006

vs